

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COLUMBIA GAS TRANSMISSION
CORPORATION,

Plaintiff,

v.

AN EASEMENT TO CONSTRUCT,
OPERATE AND MAINTAIN A 24-INCH
GAS TRANSMISSION PIPELINE ACROSS
PROPERTIES IN CHESTER COUNTY,
PENNSYLVANIA, OWNED BY PAR AND
PARTHASARATHY ANBIL, et al. and
UNKNOWN PERSONS AND INTERESTED
PARTIES,

Defendants.

C.A. No. 02-CV-3733

**PLAINTIFF COLUMBIA GAS TRANSMISSION CORPORATION'S
MOTION FOR EXPEDITED CONSIDERATION OF
MOTION FOR PARTIAL SUMMARY JUDGMENT**

The plaintiff, Columbia Gas Transmission Corporation ("Columbia"), filed on March 4, 2003 a Motion for Partial Summary Judgment and Memorandum of Law in Support. That Motion and Memorandum of Law are incorporated by reference. The Motion included a request for access to the properties on May 1, 2003, as had been previously indicated to Magistrate Judge Angell at the October 1, 2002 scheduling conference.

As detailed in the Motion and Memorandum of Law, Columbia needs to begin work on the condemned properties beginning May 1, 2003 in order to meet its contractual obligations under the Project, meet its obligations to existing customers, insure that its construction will be completed by the winter heating season, insure that an efficient construction process can be utilized and to meet the deadline imposed by the Federal Energy Regulatory Commission for completing construction.

All defendants have been served with copies of the Motion for Partial Summary Judgment and Memorandum of Law in Support, as well as this Motion. As of April 7, 2003, only the Harpers have responded to the Motion for Partial Summary Judgment, and their response did not address the issue of access except to state that they had no knowledge as to Columbia's need for access by May 1, 2003.

Columbia requests that Columbia's Motion for Partial Summary Judgment be considered on or before May 1, 2003. If this is not possible, Columbia requests that the portion of the Motion for Summary Judgment addressing Access be referred to Magistrate Judge Angell for consideration on or before May 1, 2003.

WHEREFORE, for the reasons stated above and in the Motion for Partial Summary Judgment and the Memorandum of Law in Support of both motions, Columbia moves to have its Motion for Partial Summary Judgment considered on an expedited basis in order to allow Columbia to begin construction no later than May 1, 2003.

REED SMITH LLP

Date: _____

Thomas J. McGarrigle
Pa. I.D. No. 27868

2500 One Liberty Place
1650 Market Street
Philadelphia, PA 19103-7301
(215) 851-8220

Kevin C. Abbott
Pa. I.D. No. 35734
Nicolle R. Snyder Bagnell
Pa. I.D. No. 87936

435 Sixth Avenue
Pittsburgh, PA 15219
(412) 288-3804

Attorneys for Plaintiff
Columbia Gas Transmission Corporation

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Plaintiff
Columbia Gas Transmission Corporation's Motion for Expedited Consideration of Motion for
Partial Summary Judgment has been served by facsimile and First Class Mail upon the
following:

Kevin R. Boyle
Stradley Ronon Stevens & Young, LLP
30 Valley Stream Parkway
Malvern, PA 19355
Counsel for: Archbishop of Philadelphia

Jonathan F. Altman
Tupitza, Altman & Bryman, P.C.
212 West Gay Street
West Chester, PA 19380
Counsel for: Harold M. and Roberta E. Harper

Francisco T. Rivas
257 W. Uwchlan Avenue
Suite A
Downingtown, PA 19335
Counsel for: Francisco T. and Kathleen D. Rivas and Robert L.M. and Linda Landenberg

Date: _____

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**SCHEDULING ORDER FOR EXPEDITED CONSIDERATION OF
MOTION FOR PARTIAL SUMMARY JUDGMENT**

Upon consideration of the Plaintiff's Motion for Expedited Consideration of Motion for Partial Summary Judgment, it is hereby ORDERED that a hearing on the plaintiff's motion for access and possession of easements condemned for pipeline replacement shall be held on _____ at _____.M. in Courtroom ___, United States Courthouse, Philadelphia, Pennsylvania.

Date: _____

U.S. District Judge